

ADOT/JPA File No.: 06-107-I
AG Contract No.: P001-2008-000189
Project: Intersection Improvements
Section: SR 92 - Buffalo Soldier Trail
TRACS No.: H677901C
Budget Source Item No.:

INTERGOVERNMENTAL AGREEMENT

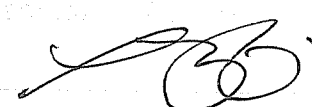
BETWEEN
THE STATE OF ARIZONA
AND
CITY OF SIERRA VISTA

THIS AGREEMENT is entered into this date March 5th 2008, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF SIERRA VISTA, acting by and through its Mayor and City Council (the "City"). The State and the City are collectively referred to as "Parties".

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.
3. The State has agreed to incorporate the City's requested enhancements into the State's intersection improvement project along SR 92 and Buffalo Soldier Trail at the City's expense hereinafter referred to as the "Project". The Scope of Work will define each party's responsibility.
4. The parties hereto agree to and acknowledge the following conditions a) The parties shall perform their responsibilities consistent with this Agreement; and b.) Any change or modification to the Project will only occur with the mutual written consent of the parties.

THEREFORE, in consideration of the mutual Agreements expressed herein, it is agreed as follows:

29743
3/5/08
By: 

II. SCOPE OF WORK

1. The State will:

a. Upon execution of this Agreement invoice the City for the costs associated with the enhancements currently estimated at \$859,000.00 and upon completion of the project either invoice the City or reimburse the City for the difference between the estimated initial cost and actual final cost of the City share of work.

b. Prepare and provide design documents for the project design, including traffic signal system improvements, specifications and other such documents and services required for construction bidding and construction of the Project, and submit same to the City for appropriate comments.

c. Upon execution of Agreement, ADOT will submit a Resolution of Establishment to the State Transportation Board for official action. Upon approval (by Resolution) from the State Transportation Board, the State will accept ownership, jurisdiction, and maintenance of the Right of Way and record all Deeds, Drainage/Slope Easements and said Resolution of Establishment simultaneously with the appropriate county recorder.

d. Advertise for bids and award one or more construction contract(s) for the Project. Administer contracts for the Project and make all payments to the contractor(s). Be responsible for contractor claims for additional compensation caused by or attributable to the State.

e. Provide electrical operations inspection of traffic signal system and materials sampling and testing during construction.

f. Be responsible for costs directly associated with construction of dual left turn lanes on northbound SR 92 at Buffalo Soldier Trail and one right turn only lane on eastbound Buffalo Soldier Trail including signal modifications, new asphalt concrete in the intersection, associated drainage modifications, sidewalk ramps, median islands on SR 92, and pavement marking and signing.

g. After execution of Agreement and upon completion of the Project, ADOT will abandon ownership jurisdiction and maintenance responsibilities of right-of-way to the City, as shown on the attached Exhibit.

h. Be responsible for the maintenance of the Project within the State's SR 92 right-of-way.

2. The City will:

a. Review the ADOT documents furnished for the intersection improvements, provide comments for possible incorporation into the construction documents.

b. Within thirty (30) days after receipt of an invoice from the State, the City will remit payment to the State for the estimated initial cost and/or actual final cost for the City share of the project costs. The City share of costs for the work as described below shall be determined using contract prices and actual quantities plus a pro rata share of mobilization, contractor quality control, construction surveying and layout, traffic control and construction administration costs. A spreadsheet is attached as Exhibit 1 showing current estimated quantities and prices for the City share of the work and is subject to change to reflect actual final cost and quantities used in the project.

c. Be responsible for construction costs associated with features not directly related to the construction of dual left turns on northbound SR 92 and the right turn only lane on eastbound Buffalo Soldier Trail such as decorative median paving, lighted street name signs, drive turnouts for property at the southwest corner, second right turn lane for eastbound Buffalo Soldier Trail plus milling, overlay, curb,

gutter, sidewalk, and pork chop islands, west leg of Buffalo Soldier Trail and any drainage modifications, costs associated with the improvement of the temporary construction easement area east of SR 92 and or other work directly associated with these features.

d. Has acquired the necessary right-of-way as depicted on the Exhibit for the Project, and agrees to allow the State to submit the needed right-of-way by Resolution, after execution of this Agreement and approval from State Transportation Board.

e. After execution of Agreement and upon completion of the Project by the State, waive the requirements of the Arizona Revised Statute § 28-7209 and accept ownership jurisdiction, and maintenance responsibilities for the right-of-way as depicted in the Exhibit attached.

f. Be responsible to provide maintenance to those sections of the Buffalo Soldier Trail roadway that are outside the limits of ADOT SR 92 Right-of-Way.

III. MISCELLANEOUS PROVISIONS

1. This Agreement shall remain in full force and effect until completion of the work contemplated herein and all reimbursements, provided however, that any provisions herein for maintenance provided by the City outside of the State's right-of-way shall be perpetual. This Agreement may be cancelled at any time prior to the advertisements for design and environmental consultant contracts, with 30-days written notice to either party.

2. Each party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnatee") from and against any and all claims, losses, liability, costs or other expenses (including, but not limited to, reasonable attorneys' fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death), property damage and any other claims (including, but not limited to, claims of derivative or vicarious liability), which are caused by the act, omission, negligence, misconduct or other fault of the indemnitor, its officers, officials, agents, employees or volunteers.

3. This Agreement shall become effective upon filing with the Secretary of State.

4. This Agreement may be cancelled in accordance with Arizona Revised Statutes § 38-511.

5. The provisions of Arizona Revised Statutes § 35-214 are applicable to this Agreement. In the event of any controversy, which may arise out of this Agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes § 12-1518.

6. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 S. 17th Avenue, Mail Drop 616E
Phoenix, Arizona 85007
(602) 712-7525
(602) 712-7424 Fax

City of Sierra Vista
Department of Public Works
Attn: Scott Dooley
1011 N. Coronado Drive
Sierra Vista, AZ 85635
Phone # (520) 458-3315
Fax # (520) 458-0584

7. This Agreement is subject to all applicable provisions of the Americans with Disability Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 99-4 issued by the Governor of the State of Arizona and incorporated herein by reference regarding "Non-Discrimination".

8. Non-Availability of State Funds: Every payment obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

9. In accordance with Arizona Revised Statutes § 11-952 (D) attached hereto and incorporated herein is the written determination of each party's legal counsel and that the parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

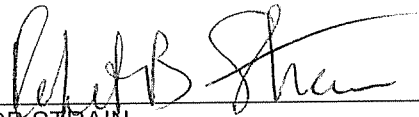
IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

CITY OF SIERRA VISTA

STATE OF ARIZONA

Department of Transportation

By

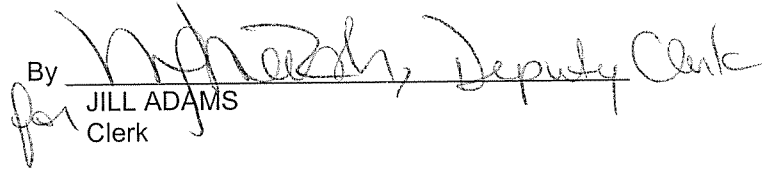

BOB STRAIN
Mayor

By


DOUGLAS A. FORSTIE, P.E.
Deputy State Engineer, Operations

ATTEST:

By


JILL ADAMS
Clerk

G:06-107-Dist S-City of Sierra Vista
H677901C-SR 92 Buffalo Soldier Trail
01-10-08-ly

RESOLUTION 2008-022

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION TO WIDEN THE INTERSECTION OF BUFFALO SOLIDER TRAIL AND STATE ROUTE 92; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION AND DECLARING AN EMERGENCY.

WHEREAS, it is the settled policy of the City Council to authorize the City staff to seek, make application for, and accept any Federal and State funding assistance for improvements to our community that are beyond the funding capacity of City revenues, when it is determined by the City Council to be in the best interests of the City; and

WHEREAS, the City and State share responsibilities of providing streets and public roadways, which are safe and meet the transportation needs of the general public; and

WHEREAS, traffic volumes on Buffalo Solider Trail and State Route 92 make it necessary to widen the intersection in order to improve safety and improve the flow of traffic; and

WHEREAS, it is in the mutual interest and benefit of the Arizona Department of Transportation (ADOT) and the City to widen this intersection; and

WHEREAS, both parties desire to enter into an Intergovernmental Agreement that will allow ADOT to share the cost of construction of widening the intersection of Buffalo Soldier Trail and State Route 92, with a total estimated cost of Two Million, Seven Hundred Eighty Seven Thousand, Five Hundred and Forty Five dollars (\$2,787,545); of which One Million, Nine Hundred Twenty Eight Thousand, Four Hundred and Thirty dollars (\$1,928,430) will be funded by ADOT; and Eight Hundred Fifty Nine Thousand, One Hundred Fifteen dollars (\$859,115) will be funded by the City of Sierra Vista and Castle and Cooke.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS;

SECTION 1

That the settled policy of the City Council of seeking Federal and State funding assistance, most recently affirmed by Resolution 2008-017 be, and hereby is, reaffirmed.


SECTION 2

That the City Council approves entering into an Intergovernmental Agreement with ADOT to share the project costs of widening the intersection of Buffalo Soldier Trail and State Route 92, which has a total estimated combined cost of \$1,928,430 from ADOT, and \$859,115 from the City and Castle and Cooke.

SECTION 3

That the City Manager, City Clerk, City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution, and declaring an emergency.

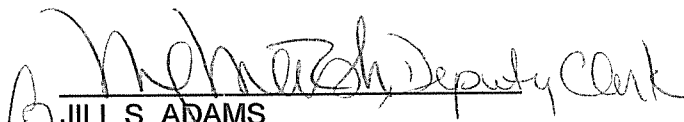
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA THIS 14th DAY OF FEBRUARY 2008.



ROBERT B. STRAIN
Mayor

ATTEST:

APPROVED AS TO FORM:



JILL S. ADAMS
City Clerk



STUART L. FAUVER
City Attorney

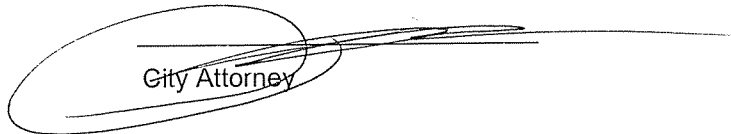
PREPARED BY:
Alan J. Humphrey, P.E.
Senior Civil Engineer


ATTORNEY APPROVAL FORM FOR THE CITY OF SIERRA VISTA

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF SIERRA VISTA, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 14 day of February, 2008.


City Attorney

<p>TERRY GODDARD Attorney General</p>	 <p>OFFICE OF THE ATTORNEY GENERAL STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan.Davis@azag.gov</p>
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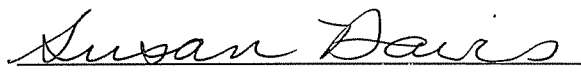
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. P0012008000189 (**JPA 06-107-I**), an Agreement between public agencies, i.e., The State of Arizona and City of Sierra Vista, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: February 25, 2008

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:mjf:153587
Attachment

Item	Description	Unit	Unit Price	Project Total		ADOT Share		Local Share	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
2020029	REMOVAL OF ASPHALTIC CONCRETE	SQ.YD.	\$5.00	4720	\$23,600.00	4070	\$20,350.00	650	\$3,250.00
2020081	REMOVE BITUMINOUS PAVEMENT (MILLING) (1")	SQ.YD.	\$3.00	988	\$2,964.00			988	\$2,964.00
2030301	ROADWAY EXCAVATION	CU.YD.	\$15.00	7177	\$107,655.00	5382	\$80,730.00	1795	\$26,925.00
3030022	AGGREGATE BASE, CLASS 2	CU.YD.	\$45.00	3774	\$169,830.00	2749	\$123,705.00	1025	\$46,125.00
4040111	BITUMINOUS TACK COAT	TON	\$325.00	25	\$8,125.00	15	\$4,875.00	10	\$3,250.00
4040116	APPLY BITUMINOUS TACK COAT	TON	\$160.00	32	\$5,120.00	20	\$3,200.00	12	\$1,920.00
4040264	ASPHALT BINDER (PG 64-22)	TON	\$600.00	65	\$39,000.00	60	\$36,000.00	5	\$3,000.00
4070001	ASPHALTIC CONCRETE FRICTION COURSE	TON	\$75.00	1076	\$80,700.00	1013	\$75,975.00	63	\$4,725.00
4070021	MINERAL ADMIXTURE (??)	TON	\$90.00	11	\$990.00	9	\$810.00	2	\$180.00
4090006	ASPHALTIC CONCRETE (MISCELLANEOUS STRUCTURAL) (SPECIAL MIX)	TON	\$100.00	6536	\$653,600.00	4644	\$464,400.00	1892	\$189,200.00
4130040	ASPHALTIC CONCRETE (ASPHALT-RUBBER)	TON	\$110.00	943	\$103,730.00			943	\$103,730.00
5012924	PIPE CULVERT, 24"	L.F.T.	\$50.00	54	\$2,700.00			54	\$2,700.00
5014524	FLARED END SECTION, 24" (C-13.20 OR C-13.25) (PIPE CULVERT)	EACH	\$260.00	2	\$520.00			2	\$520.00
6080010	SIGN PANEL (LIGHTED STREET NAME SIGNS)	SQ.FT.	\$400.00	40	\$16,000.00			40	\$16,000.00
7016030	BARRICADE (TYPE II, VERT.PANEL, TUBULAR MARKER)	EACH-DAY	\$0.50	3992	\$1,996.00				
7016031	BARRICADE (TYPE III, HIGH LEVEL FLAG TREES)	EACH-DAY	\$0.90	62	\$55.80				
7016032	PORTABLE SIGN STANDS (RIGID)	EACH-DAY	\$0.60	680	\$408.00				
7016035	WARNING LIGHTS (TYPE A)	EACH-DAY	\$0.30	1403	\$420.90				
7016037	WARNING LIGHTS (TYPE C)	EACH-DAY	\$0.80	2668	\$2,134.40				
7016038	TRAFFIC CONE (28 INCHES)	EACH-DAY	\$0.30	212	\$63.60				
7016039	EMBEDDED SIGN POST	EACH-DAY	\$0.20	1872	\$374.40				
7016050	TRUCK MOUNTED ATTENUATOR	EACH-DAY	\$300.00	48	\$14,400.00				
7016051	TEMPORARY SIGN (LESS THAN 10 S.F.)	EACH-DAY	\$0.50	160	\$80.00				
7016052	TEMPORARY SIGN (10 S.F. OR MORE)	EACH-DAY	\$0.60	1458	\$874.80				
7016061	FLASHING ARROW PANEL	EACH-DAY	\$35.00	2	\$70.00				
7016067	CHANGEABLE MESSAGE BOARD (CONTRACTOR FURNISHED)	EACH-DAY	\$80.00	216	\$17,280.00				
7016075	FLAGGING SERVICES (CIVILIAN)	HOURL	\$24.00	432	\$10,368.00				
	Traffic Control Items Sub Total & ProRata Share				\$48,525.90	68.50%	\$33,240.24	31.50%	\$15,285.66
7040003	PAVEMENT MARKING (WHITE SPRAYED THERMOPLASTIC)(0.060")	L.F.T.	\$0.30	24308	\$7,292.40	19751	\$5,925.30	4557	\$1,367.10
7040004	PAVEMENT MARKING (YELLOW SPRAYED THERMOPLASTIC)(0.060")	L.F.T.	\$0.30	11659	\$3,497.70	7619	\$2,285.70	4040	\$1,212.00
7040073	PAVEMENT LEGEND (EXTRUDED THERMOPLASTIC) (ALKYD) (0.090")	EACH	\$150.00	9	\$1,350.00	8	\$1,200.00	1	\$150.00

Item	Description	Unit	Unit Price	Project Total		ADOT Share		Local Share	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
7040074	PAVEMENT SYMBOL (EXTRUDED THERMOPLASTIC) (ALKYD) (0.090")	EACH	\$125.00	31	\$3,875.00	29	\$3,625.00	2	\$250.00
7060013	PAVEMENT MARKER, RAISED, TYPE C	EACH	\$6.00	224	\$1,344.00	214	\$1,284.00	10	\$60.00
7060015	PAVEMENT MARKER, RAISED, TYPE D	EACH	\$6.00	104	\$624.00	54	\$324.00	50	\$300.00
7060018	PAVEMENT MARKER, RAISED, TYPE G	EACH	\$7.00	141	\$987.00	28	\$196.00	113	\$791.00
7080001	PERMANENT PAVEMENT MARKING (PAINTED) (WHITE)	L.FT.	\$0.25	31151	\$7,787.75	26594	\$6,648.50	4557	\$1,139.25
7080011	PERMANENT PAVEMENT MARKING (PAINTED) (YELLOW)	L.FT.	\$0.25	11604	\$2,901.00	7564	\$1,891.00	4040	\$1,010.00
9010001	MOBILIZATION	L.SUM	\$170,000.00	1	\$170,000.00	68.50%	\$116,450.00	31.50%	\$53,550.00
9030134	CONCRETE VALLEY GUTTER	SQ.FT.	\$25.00	584	\$14,600.00			584	\$14,600.00
9080084	CONCRETE CURB AND GUTTER (C-05.10)(TYPE G)(H=6")	L.FT.	\$25.00	3528	\$88,200.00	2160	\$54,000.00	1368	\$34,200.00
9080094	CONCRETE CURB AND GUTTER (TERMINAL SECTION)(C-05.10)	EACH	\$150.00	4	\$600.00	2	\$300.00	2	\$300.00
9080109	CONCRETE SINGLE CURB (C-05.10)(TYPE G)(H=6")	L.FT.	\$22.00	2182	\$48,004.00	1062	\$23,364.00	1120	\$24,640.00
9080201	CONCRETE SIDEWALK (C-05.20)	SQ.FT.	\$6.00	2133	\$12,798.00			2133	\$12,798.00
9080298	CONCRETE SIDEWALK RAMP (C-05.30)(TYPE A)	EACH	\$1,600.00	10	\$16,000.00	6	\$9,600.00	4	\$6,400.00
9210012	MEDIAN PAVING (BOMANITE)	SQ.YD.	\$55.00	1036	\$56,980.00			1036	\$56,980.00
9240170	CONTRACTOR QUALITY CONTROL	L.SUM	\$34,000.00	1	\$34,000.00	68.50%	\$23,290.00	31.50%	\$10,710.00
9250001	CONSTRUCTION SURVEYING AND LAYOUT	L.SUM	\$17,000.00	1	\$17,000.00	68.50%	\$11,645.00	31.50%	\$5,355.00
Sub Total					\$1,750,900.75		\$1,105,313.74		\$645,587.01
	Bid items with no anticipated local share				\$298,730.30		\$298,730.30		\$0.00
SubTotal	For all contract bid items				\$2,049,631.05		\$1,404,044.04		\$645,587.01
	Unidentified Items	10.00%			\$204,963.11		\$140,404.40		\$64,558.70
SubTotal					\$2,254,594.16		\$1,544,448.44		\$710,145.71
	Dept Furnished Materials Warehouse Reimb	L.SUM	\$50,000.00	1	\$50,000.00	1	\$50,000.00		\$0.00
	Flagging (Uninformed Officer)	HOURL	\$42.50	432	\$18,360.00	68.50%	\$12,576.60	31.50%	\$5,783.40
SubTotal					\$2,322,954.16		\$1,607,025.04		\$715,929.11
	Const Engineering	15.00%			\$348,443.12		\$241,053.76		\$107,389.37
	Const Contingencies	5.00%			\$116,147.71		\$80,351.25		\$35,796.46
Total					\$2,787,544.99	68.50%	\$1,928,430.05	31.50%	\$859,114.94

Percentages used for pro-rata split items

68.50%

31.50%

at the request of
when recorded mail to

DEED OF DEDICATION

For consideration of Ten Dollars, and other valuable considerations, I or we,

**CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION**

hereby grant unto

THE CITY OF SIERRA VISTA, A BODY POLITIC

all right, title or interest in the following real property situated in Cochise County, Arizona:

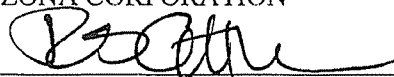
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

EXEMPT FROM AFFIDAVIT PER ARS 11-1134:A-3.

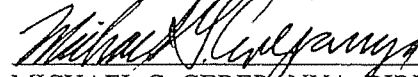
Dated this 20TH day of SEPTEMBER, 2007

ACCEPTED AND APPROVED:
THE CITY OF SIERRA VISTA

CASTLE & COOKE ARIZONA, INC., AN
ARIZONA CORPORATION FORMERLY
KNOWN AS ARIZONA NEWSUB, INC., AN
ARIZONA CORPORATION



RICHARD S. COFFMAN, VICE PRESIDENT



MICHAEL G. CEREPANYA, DIRECTOR OF
LAND DEVELOPMENT

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 21st day of September, 2007, by
RICHARD S. COFFMAN, VICE PRESIDENT AND MICHAEL G. CEREPANYA, DIRECTOR OF LAND
DEVELOPMENT FOR CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION.


NOTARY PUBLIC

My commission expires:

Nov 2, 2008



BARBARA J. BOK
NOTARY PUBLIC - STATE OF ARIZONA
COCHISE COUNTY

EXHIBIT "A"
STREET RIGHT-OF-WAY DEDICATION
LEGAL DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 20 EAST, GILA AND SALT RIVER MERIDIAN, CITY OF SIERRA VISTA, COUNTY OF COCHISE, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, MARKED BY A 2 INCH IRON PIPE WITH A BRASS CAP ACCORDING TO THE FINAL PLAT FOR CANYON DE FLORES, PHASE 1A, FILED FOR RECORD FEBRUARY 25, 2000, AS FEE NO. 000205235, IN BOOK 14 OF PLATS AT PAGES 34 AND 34A IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE SOUTH 00°02'09" WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 142.44 FEET; THENCE NORTH 89°57'51" WEST, AS MEASURED AT RIGHT ANGLES TO SAID EAST LINE, A DISTANCE OF 99.81 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 92; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 89°59'20" WEST, A DISTANCE OF 100.23 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1025.33 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 01°19'42" EAST; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'19", AN ARC DISTANCE OF 19.78 FEET **TO THE POINT OF BEGINNING**; THENCE ALONG THE FOLLOWING TEN (10) COURSES:

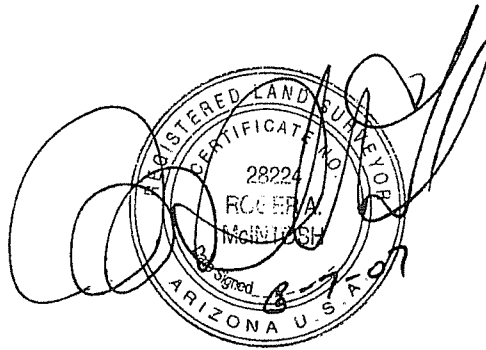
- 1) CONTINUING WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'25", AN ARC DISTANCE OF 9.97 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 975.00 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 07°43'05" EAST; THENCE
- 2) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°04'19", AN ARC DISTANCE OF 18.24 FEET; THENCE
- 3) SOUTH 00°03'32" WEST, A DISTANCE OF 1.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1025.33 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 04°00'04" EAST; THENCE
- 4) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°59'34", AN ARC DISTANCE OF 160.93 FEET; THENCE
- 5) NORTH 74°49'21" WEST, A DISTANCE OF 5.52 FEET; THENCE
- 6) NORTH 64°26'38" WEST, A DISTANCE OF 61.85 FEET; THENCE
- 7) NORTH 73°32'18" WEST, A DISTANCE OF 138.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BUFFALO SOLDIER TRAIL AS DESCRIBED IN FEE NO. 930307691, OFFICIAL RECORD, RECORDED MARCH 25, 1993, IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE
- 8) SOUTH 78°29'49" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 204.52 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1015.00 FEET; THENCE

EXHIBIT "A"
STREET RIGHT-OF-WAY DEDICATION
LEGAL DESCRIPTION
(CONTINUED)

9) EASTERLY CONTINUING ALONG SOUTHERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF $10^{\circ}16'33''$, AN ARC DISTANCE OF 182.04 FEET; THENCE

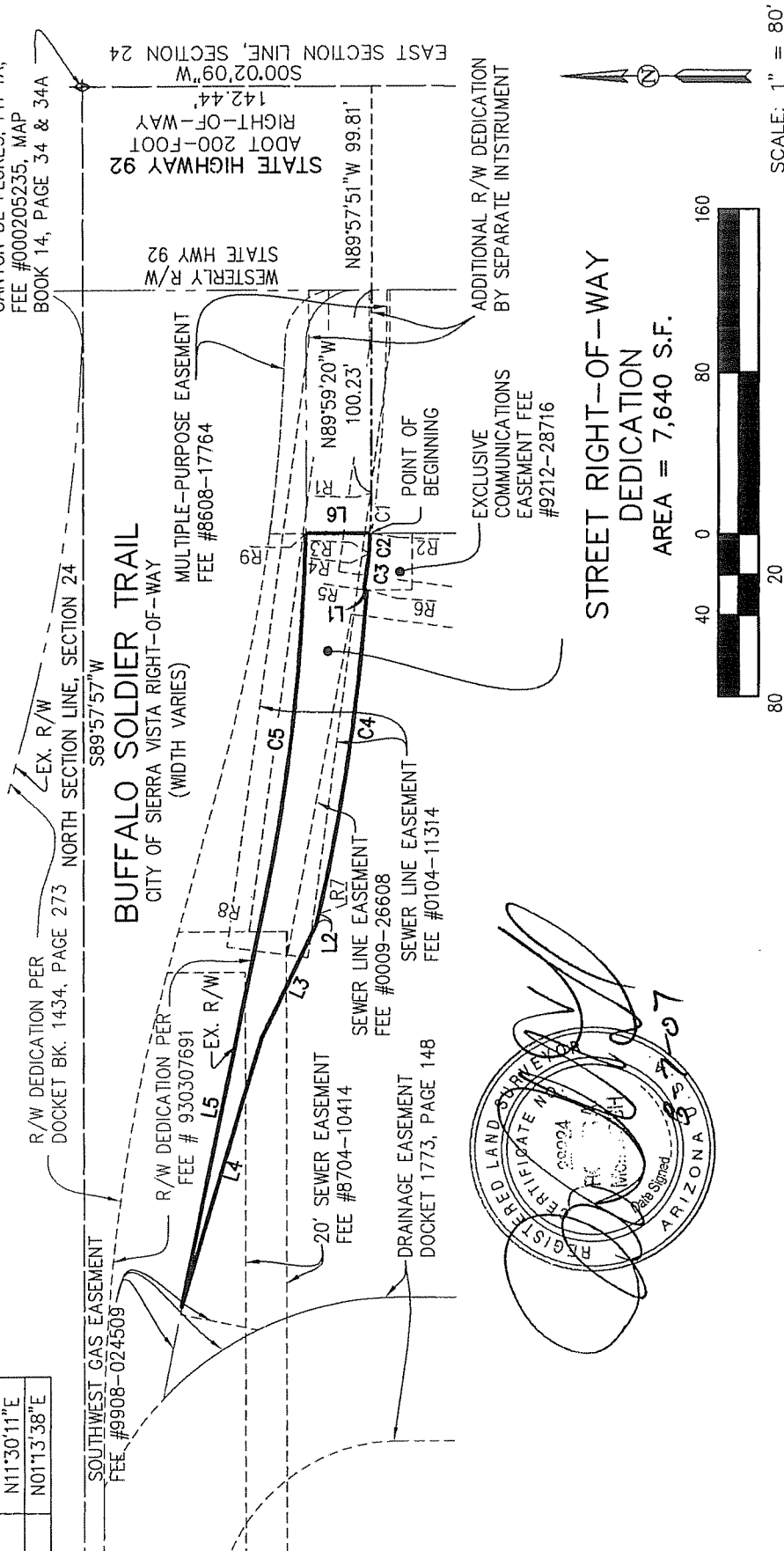
10) DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH $00^{\circ}03'32''$ WEST, A DISTANCE OF 31.79 FEET TO THE POINT BEGINNING.

CONTAINING 7,640 SQUARE FEET, MORE OR LESS.



RADIAL TABLE	LINE	BEARING
	R1	N01°19'42"E
	R2	N02°26'01"E
	R3	N02°59'26"E
	R4	N07°43'05"E
	R5	N08°47'24"E
	R6	N04°00'04"E
	R7	N12°59'38"E
	R8	N11°30'11"E
	R9	N01°13'38"E

POINT OF COMMENCEMENT
NE. COR. SEC 24, T.2S.,
R.20.E, G.&S.R.B.&M., 2"
IRON PIPE W/ BRASS CAP
OVER FINAL PLAT FOR
CANYON DE FLORES, PH 1A,
OFFEE #000205235, MAP
BOOK 14, PAGE 34 & 34A



McINTOSH & ASSOCIATES
LAND SURVEYING • CIVIL ENGINEERING ©2007

CASTLE & COOKE ARIZONA, INC.
BUFFALO SOLDIER TRAIL
RIGHT-OF-WAY DEDICATION
SIERRA VISTA, ARIZONA

JOB # 7924.03
DWG. # 2403EM02
DATE: 08/02/07
OWNER: CASTLE & COOKE
DRAWN BY: EV/BDM

at the request of
when recorded mail to

DEED OF DEDICATION

For consideration of Ten Dollars, and other valuable considerations, I or we,

**CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION**

hereby grant unto

THE CITY OF SIERRA VISTA, A BODY POLITIC

all right, title or interest in the following real property situated in Cochise County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

EXEMPT FROM AFFIDAVIT PER ARS 11-1134:A-3.

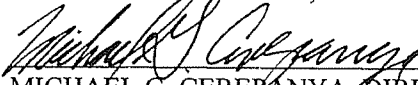
Dated this 20TH day of SEPTEMBER, 2007

ACCEPTED AND APPROVED:
THE CITY OF SIERRA VISTA

CASTLE & COOKE ARIZONA, INC., AN
ARIZONA CORPORATION FORMERLY
KNOWN AS ARIZONA NEWSUB, INC., AN
ARIZONA CORPORATION



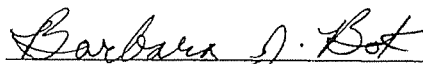
RICHARD S. COFFMAN, VICE PRESIDENT



MICHAEL G. CEREPANYA, DIRECTOR OF
LAND DEVELOPMENT

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 21st day of September, 2007, by
RICHARD S. COFFMAN, VICE PRESIDENT AND MICHAEL G. CEREPANYA, DIRECTOR OF LAND
DEVELOPMENT FOR CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION.


NOTARY PUBLIC

My commission expires: Nov 2, 2008



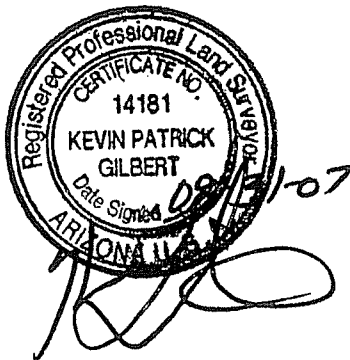
EXHIBIT "A"
STREET RIGHT-OF-WAY DEDICATION
LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 21 EAST, GILA AND SALT RIVER MERIDIAN, CITY OF SIERRA VISTA, COUNTY OF COCHISE, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, MARKED BY A 2 INCH IRON PIPE WITH A BRASS CAP ACCORDING TO THE FINAL PLAT FOR CANYON DE FLORES, PHASE 1A, FILED FOR RECORD FEBRUARY 25, 2000, AS FEE NO. 0002205235, IN BOOK 14 OF PLATS AT PAGES 34 AND 34A IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE SOUTH 00°02'09" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°47'01" EAST, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 100.23 FEET **TO THE POINT OF BEGINNING**, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 92; THENCE ALONG THE FOLLOWING FIVE (5) COURSES:

- 1) NORTH 00°03'32" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 61.00 FEET; THENCE
- 2) DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89°47'01" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 20.00 FEET; THENCE
- 3) SOUTH 00°03'32" WEST, PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 128.00 FEET; THENCE
- 4) NORTH 89°47'01" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 20.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE
- 5) NORTH 00°03'32" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 67.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,560 SQUARE FEET, MORE OR LESS.



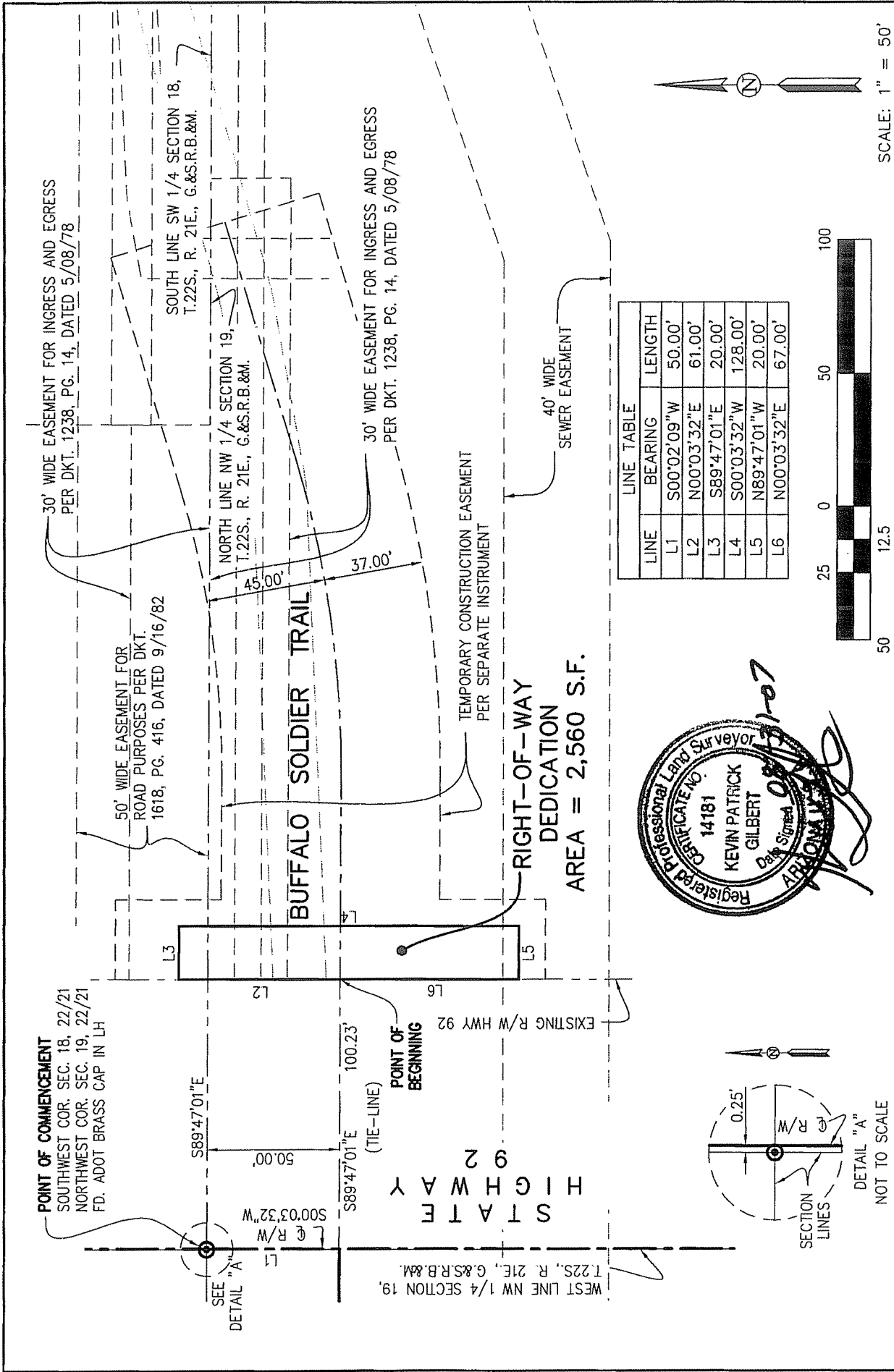


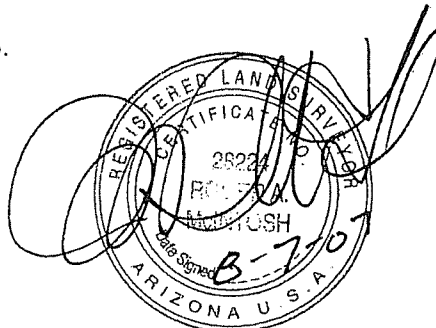
EXHIBIT "A"
STREET RIGHT-OF-WAY DEDICATION
LEGAL DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 20 EAST, GILA AND SALT RIVER MERIDIAN, CITY OF SIERRA VISTA, COUNTY OF COCHISE, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, MARKED BY A 2 INCH IRON PIPE WITH A BRASS CAP ACCORDING TO THE FINAL PLAT FOR CANYON DE FLORES, PHASE 1A, FILED FOR RECORD FEBRUARY 25, 2000, AS FEE NO. 0002205235, IN BOOK 14 OF PLATS AT PAGES 34 AND 34A IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE SOUTH 00°02'09" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 142.44 FEET; THENCE NORTH 89°57'51" WEST, AS MEASURED AT RIGHT ANGLES TO SAID EAST LINE, A DISTANCE OF 99.81 FEET **TO THE POINT OF BEGINNING**, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 92; THENCE ALONG THE FOLLOWING SEVEN (7) COURSES:

- 1) DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 89°59'20" WEST, A DISTANCE OF 100.23 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1025.33 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 01°19'42" EAST; THENCE
- 2) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'19", AN ARC DISTANCE OF 19.78 FEET; THENCE
- 3) NORTH 00°03'32" EAST, A DISTANCE OF 31.79 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF BUFFALO SOLDIER TRAIL AS DESCRIBED IN FEE NO. 930307691, OFFICIAL RECORD, RECORDED MARCH 25, 1993, IN THE OFFICE OF THE COCHISE COUNTY RECORDER, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1015.00 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 01°13'38" EAST; THENCE
- 4) EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°15'40", AN ARC DISTANCE OF 22.34 FEET; THENCE
- 5) NORTH 89°57'58" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 72.62 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE
- 6) SOUTHEASTERLY CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°05'34", AN ARC DISTANCE OF 39.31 FEET TO A POINT ON THE SAID WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 92; THENCE
- 7) SOUTH 00°03'32" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 7.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,730 SQUARE FEET, MORE OR LESS.



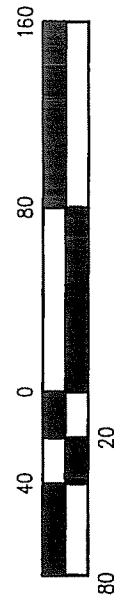
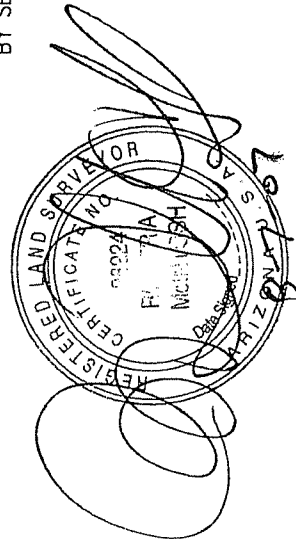
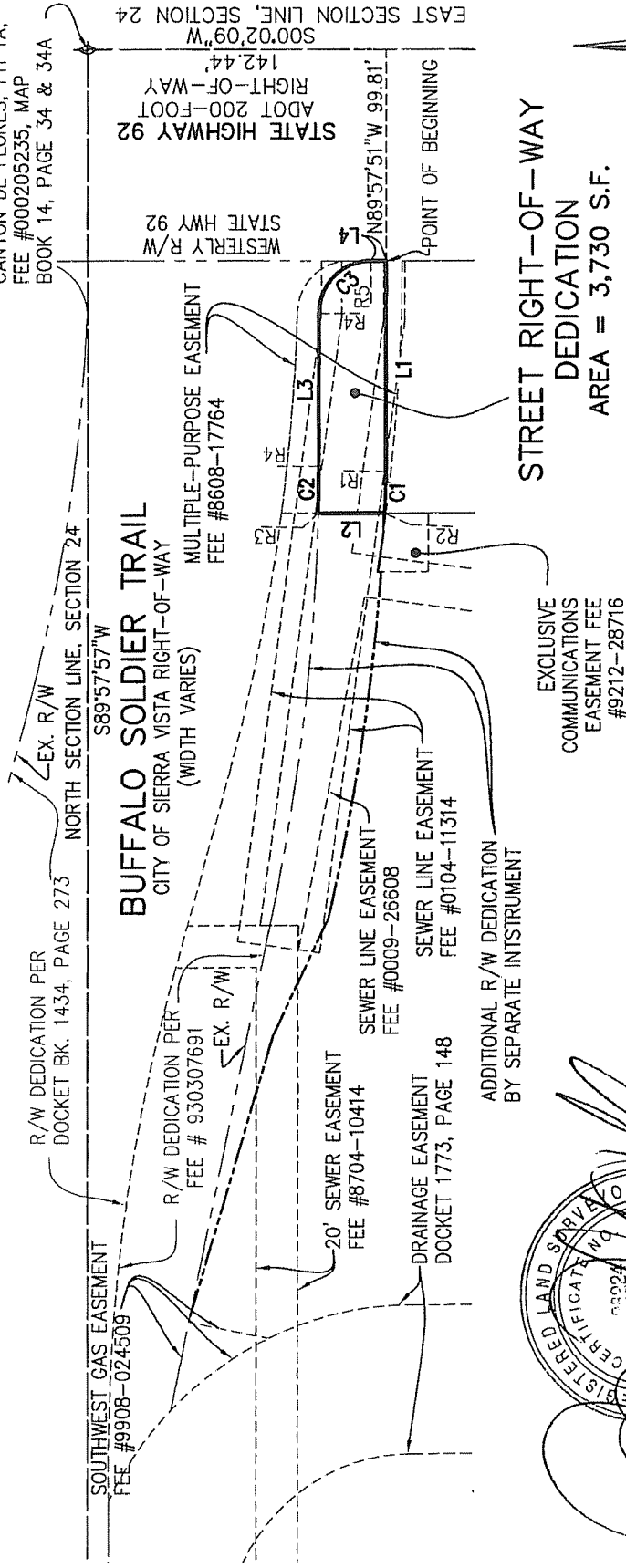
LINE	BEARING
R1	N01°19'42"E
R2	N02°26'01"E
R3	N01°13'38"E
R4	N00°02'02"W
R5	N89°56'28"W

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	1025.33'	19.78'	9.89'	01°06'19"
C2	1015.00'	22.34'	11.17'	01°15'40"
C3	25.00'	39.31'	25.04'	90°05'34"

LINE	BEARING	LENGTH
L1	N89°59'20"W	100.23'
L2	N00°03'32"E	31.79'
L3	N89°57'58"E	72.62'
L4	S00°03'32"W	7.25'

EXHIBIT "B"

POINT OF COMMENCEMENT
NE. COR. SEC 24, T.22S.,
R.20E, G.&S.R.B.&M., 2"
IRON PIPE W/ BRASS CAP
PER FINAL PLAT FOR
CANYON DE FLORES, PH 1A,
FEE #000205235, MAP
BOOK 14, PAGE 34 & 34A



McINTOSH & ASSOCIATES
LAND SURVEYING • CIVIL ENGINEERING • 2007

CASTLE & COOKE ARIZONA, INC.
BUFFALO SOLDIER TRAIL
RIGHT-OF-WAY DEDICATION
SIERRA VISTA, ARIZONA

JOB # 7924.03
DWG. # 2403EM01
DATE: 08/02/07
OWNER: CASTLE & COOKE
DRAWN BY: EY/BDM

at the request of
when recorded mail to

GRANT OF EASEMENT

For consideration of Ten Dollars, and other valuable considerations, I or we,

**CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION**

hereby grant unto

THE CITY OF SIERRA VISTA, A BODY POLITIC

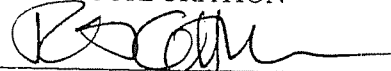
an easement over the following real property situated in Cochise County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

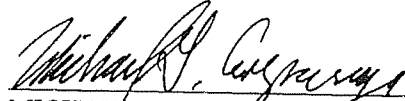
EXEMPT FROM AFFIDAVIT PER ARS 11-1134:A-2.

Dated this 20TH day of SEPTEMBER, 2007

CASTLE & COOKE ARIZONA, INC., AN
ARIZONA CORPORATION FORMERLY
KNOWN AS ARIZONA NEWSUB, INC., AN
ARIZONA CORPORATION



RICHARD S. COFFMAN, VICE PRESIDENT



MICHAEL G. CEREPANYA, DIRECTOR OF
LAND DEVELOPMENT

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 21st day of September, 2007, by
RICHARD S. COFFMAN, VICE PRESIDENT AND MICHAEL G. CEREPANYA, DIRECTOR OF LAND
DEVELOPMENT FOR CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 SOUTH, RANGE 20 EAST, GILA AND SALT RIVER MERIDIAN, CITY OF SIERRA VISTA, COUNTY OF COCHISE, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, MARKED BY A 2 INCH IRON PIPE WITH A BRASS CAP ACCORDING TO THE FINAL PLAT FOR CANYON DE FLORES, PHASE 1A, FILED FOR RECORD FEBRUARY 25, 2000, AS FEE NO. 0002205235, IN BOOK 14 OF PLATS AT PAGES 34 AND 34A IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE SOUTH 00°02'09" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 140.29 FEET; THENCE NORTH 89°57'51" WEST, AS MEASURED AT RIGHT ANGLES TO SAID EAST LINE, A DISTANCE OF 247.81 FEET **TO THE POINT OF BEGINNING**, SAID POINT BEING ON THE WEST LINE OF THAT CERTAIN EXCLUSIVE GRANT OF EASEMENT RECORDED DECEMBER 2, 1992, AS FEE NO. 921228716, OFFICIAL RECORDS, IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE ALONG THE FOLLOWING ELEVEN (11) COURSES:

- 1) SOUTH 00°03'32" WEST, ALONG SAID WEST LINE AND THE SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 30.07 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1055.33 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 03°53'20" EAST; THENCE
- 2) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°08'10", AN ARC DISTANCE OF 168.28 FEET; THENCE
- 3) NORTH 74°49'21" WEST, A DISTANCE OF 8.81 FEET; THENCE
- 4) NORTH 64°26'38" WEST, A DISTANCE OF 62.19 FEET; THENCE
- 5) NORTH 73°32'18" WEST, A DISTANCE OF 136.58 FEET; THENCE
- 6) NORTH 11°30'23" EAST, A DISTANCE OF 29.86 FEET; THENCE
- 7) SOUTH 78°29'49" EAST, A DISTANCE OF 2.95 FEET; THENCE
- 8) SOUTH 73°32'18" EAST, A DISTANCE OF 138.61 FEET; THENCE
- 9) SOUTH 64°26'38" EAST, A DISTANCE OF 61.85 FEET; THENCE
- 10) SOUTH 74°49'21" EAST, A DISTANCE OF 5.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1025.33 FEET, FROM WHICH POINT A RADIAL LINE BEARS NORTH 12°59'38" EAST; THENCE
- 11) EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°59'34", AN ARC DISTANCE OF 160.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,185 SQUARE FEET, MORE OR LESS.



EXHIBIT "B"

LINE	BEARING	LENGTH
L3	N64°26'38"W	62.19'
L4	N73°32'18"W	136.58'
L5	N11°30'23"E	29.86'
L6	S78°29'49"E	2.95'
L7	S73°32'18"E	138.61'
L8	S64°26'38"E	61.85'
L9	S74°49'21"E	5.52'

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	1055.33'	168.28'	84.32'	09°08'10"
C2	1025.33'	160.93'	80.63'	08°59'34"

LINE	BEARING	LENGTH
L1	S00°03'32"W	30.07'
L2	N74°49'21"W	8.81'

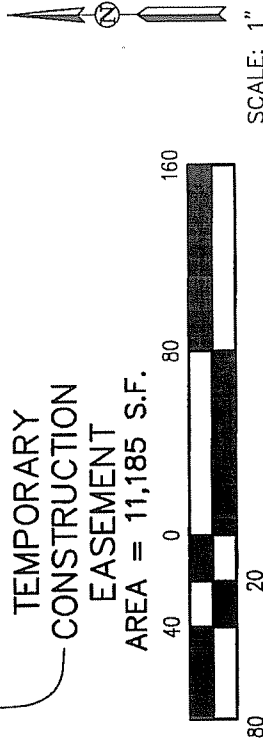
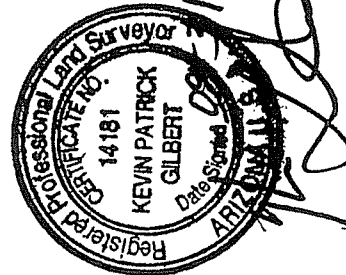
LINE	BEARING
R1	N03°53'20"E
R2	N13°01'30"E
R3	N12°59'38"E
R4	N04°00'04"E

POINT OF BEGINNING
NE. COR. SEC 24, T.22S.,
R.20E, G.&S.R.B.&M., 2"
IRON PIPE W/ BRASS CAP
PER FINAL PLAT FOR
CANYON DE FLORES, PH 1A,
FEE #000205235, MAP
BOOK 14, PAGE 34 & 34A

STATE HIGHWAY 92
ADOT 200-F001
RIGHT-OF-WAY
140.29'
S00°02'09"W
EAST SECTION LINE, SECTION 24

BUFFALO SOLDIER TRAIL
CITY OF SIERRA VISTA RIGHT-OF-WAY
(WIDTH VARIES)
MULTIPLE-PURPOSE EASEMENT
FEE #8608-17764
SEWER LINE EASEMENT
FEE #0009-26608
EX. R/W
S89°57'57"W
NORTH SECTION LINE, SECTION 24
EX. R/W
DOCKET BK. 1434, PAGE 273

TEMPORARY CONSTRUCTION EASEMENT
AREA = 11,185 S.F.
EXCLUSIVE COMMUNICATIONS EASEMENT FEE #9212-28716
SEWER LINE EASEMENT FEE #0104-11314
20' SEWER EASEMENT FEE #8704-10414
DRAINAGE EASEMENT DOCKET 1773, PAGE 148
SOUTHWEST GAS EASEMENT FEE #9908-024509
R/W DEDICATION PER DOCKET BK. 1434, PAGE 273
R/W DEDICATION PER FEE # 930307691
EX. R/W



CASTLE & COOKE ARIZONA, INC.
BUFFALO SOLDIER TRAIL
TEMPORARY CONSTRUCTION EASEMENT
SIERRA VISTA, ARIZONA

JOB # 7924.05
DWG. # 2405EM03
DATE: 08/28/07
OWNER: CASTLE & COOKE
DRAWN BY: EV/BDM



at the request of
when recorded mail to

DEED OF DEDICATION

For consideration of Ten Dollars, and other valuable considerations, I or we,

**CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION**

hereby grant unto

THE CITY OF SIERRA VISTA, A BODY POLITIC

all right, title or interest in the following real property situated in Cochise County, Arizona:

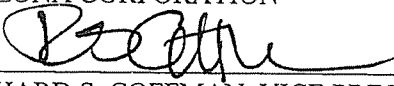
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

EXEMPT FROM AFFIDAVIT PER ARS 11-1134:A-3.

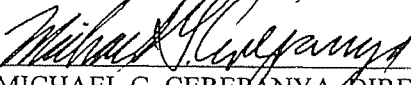
Dated this 20TH day of SEPTEMBER, 2007

ACCEPTED AND APPROVED:
THE CITY OF SIERRA VISTA

CASTLE & COOKE ARIZONA, INC., AN
ARIZONA CORPORATION FORMERLY
KNOWN AS ARIZONA NEWSUB, INC., AN
ARIZONA CORPORATION



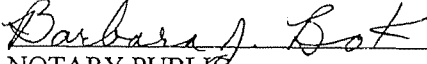
RICHARD S. COFFMAN, VICE PRESIDENT



MICHAEL G. CEREPANYA, DIRECTOR OF
LAND DEVELOPMENT

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 21st day of September, 2007, by
RICHARD S. COFFMAN, VICE PRESIDENT AND MICHAEL G. CEREPANYA, DIRECTOR OF LAND
DEVELOPMENT FOR CASTLE & COOKE ARIZONA, INC., AN ARIZONA CORPORATION FORMERLY KNOWN
AS ARIZONA NEWSUB, INC., AN ARIZONA CORPORATION.



NOTARY PUBLIC

My commission expires:

Nov 2, 2008



BARBARA J. BOK
NOTARY PUBLIC - STATE OF ARIZONA
COCHISE COUNTY

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 18 AND THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 21 EAST, GILA AND SALT RIVER MERIDIAN, CITY OF SIERRA VISTA, COUNTY OF COCHISE, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, MARKED BY A 2 INCH IRON PIPE WITH A BRASS CAP ACCORDING TO THE FINAL PLAT FOR CANYON DE FLORES, PHASE 1A, FILED FOR RECORD FEBRUARY 25, 2000, AS FEE NO. 0002205235, IN BOOK 14 OF PLATS AT PAGES 34 AND 34A IN THE OFFICE OF THE COCHISE COUNTY RECORDER; THENCE SOUTH 00°02'09" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°47'01" EAST, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 120.23 FEET **TO THE POINT OF BEGINNING**; THENCE ALONG THE FOLLOWING SEVENTEEN (17) COURSES:

- 1) NORTH 00°03'32" EAST, PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 92, A DISTANCE OF 61.00 FEET; THENCE
- 2) NORTH 89°47'01" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 20.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 92; THENCE
- 3) NORTH 00°03'32" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 24.00 FEET; THENCE
- 4) DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89°47'01" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 30.00 FEET; THENCE
- 5) SOUTH 00°03'32" WEST, PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET; THENCE
- 6) SOUTH 89°47'01" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 46.31 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 364.26 FEET; THENCE
- 7) EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°02'06", AN ARC DISTANCE OF 108.30 FEET; THENCE
- 8) NORTH 73°10'53" EAST, A DISTANCE OF 91.28 FEET; THENCE
- 9) SOUTH 16°49'07" EAST, A DISTANCE OF 82.00 FEET; THENCE
- 10) SOUTH 73°10'53" WEST, A DISTANCE OF 91.28 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 446.26 FEET; THENCE
- 11) WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°02'06", AN ARC DISTANCE OF 132.68 FEET; THENCE
- 12) NORTH 89°47'01" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 46.09 FEET; THENCE

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT
LEGAL DESCRIPTION
(CONTINUED)

13) SOUTH 00°03'32" WEST, PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET; THENCE

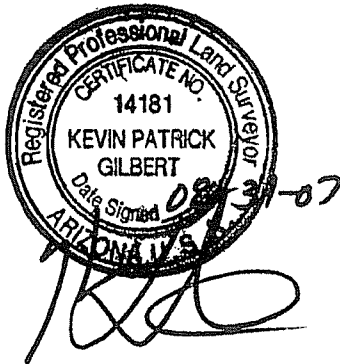
14) NORTH 89°47'01" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 30.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE

15) NORTH 00°03'32" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE

16) DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 89°47'01" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 20.00 FEET; THENCE

17) NORTH 00°03'32" EAST, PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 67.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 23,454 SQUARE FEET, MORE OR LESS.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°47'01"W	20.00'
L2	N00°03'32"E	24.00'
L3	S89°47'01"E	30.00'
L4	S00°03'32"W	40.00'
L5	S89°47'01"E	46.31'

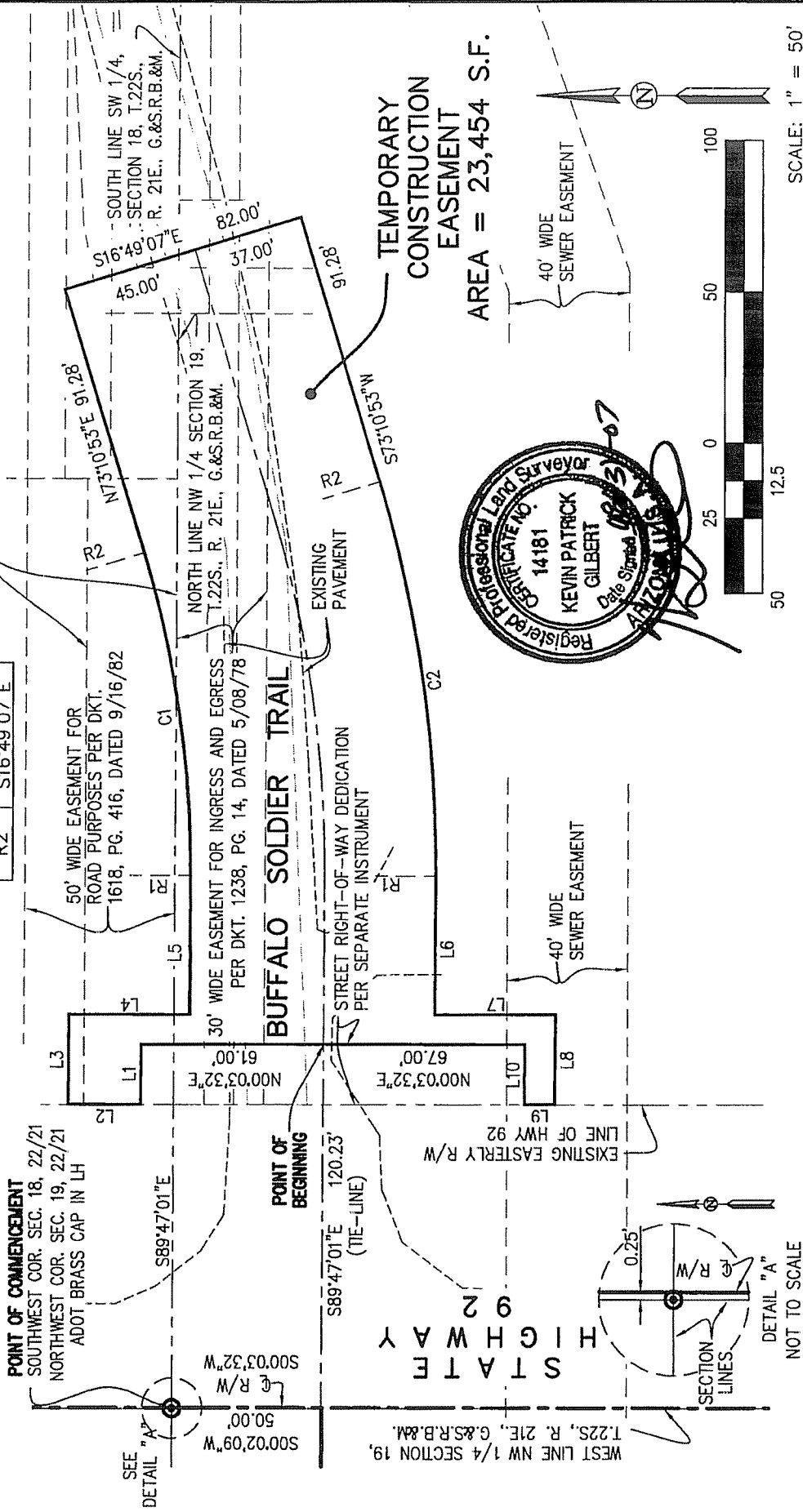
LINE TABLE		
LINE	BEARING	LENGTH
L6	N89°47'01"W	46.09'
L7	S00°03'32"W	40.00'
L8	N89°47'01"W	30.00'
L9	N00°03'32"E	10.00'
L10	S89°47'01"E	20.00'

CURVE TABLE			
CURVE	RADIUS	LENGTH	TANGENT DELTA
C1	364.26'	108.30'	54.55'
C2	446.26'	132.68'	66.83'

RADIAL TABLE	
RAD	BEARING
R1	N00°12'59"E
R2	S16°49'07"E

30' WIDE EASEMENT FOR INGRESS AND EGRESS
PER DKT. 1238, PG. 14, DATED 5/08/78

POINT OF COMMENCEMENT
SOUTHWEST COR. SEC. 18, 22/21
NORTHWEST COR. SEC. 19, 22/21
ADOT BRASS CAP IN LH



McINTOSH & ASSOCIATES
LAND SURVEYING - CIVIL ENGINEERING © 2007

CASTLE & COOKE ARIZONA, INC.
TRIBUTE- BUFFALO SOLDIER TRAIL
TEMPORARY CONSTRUCTION EASEMENT
SIERRA VISTA, ARIZONA

JOB # 7924.05
DWG. # 2405EM04-2
DATE: 8/20/07
OWNER: CASTLE & COOKE
DRAWN BY: EV/BDM
AREA: 23454 S.F.